

REMARKS

Reconsideration of this application is hereby respectfully requested.

A Petition For Extension of Time Under 37 CFR 1.136(a) for an extension of time of two (2) months in the shortened statutory period set for response to the Office Action dated March 24, 2005 is being filed herewith in the above-identified application thereby extending said period for response from June 24, 2005 to August 24, 2005, whereby this Amendment will be considered to be timely filed.

By this Amendment, original Claims 1 to 11, inclusive, are being cancelled and new Claims 12, 13, 14, 15, 16, 17, 18 and 19 are being substituted therefor. This action is being taken in an effort to more particularly point out and distinctly claim Applicant's invention.

The present invention is directed to an improvement in a railroad car and in a corresponding train. The railroad car embodying the subject improvement has a box body extending longitudinally between a first end of the box body and a second end of the box body, the box body delimiting a plurality of compartments within the box body, and seats are arranged in at least some of the plurality of compartments. The improvement to which the present invention is directed comprises means for enabling passengers to locate and to gain access more easily and more rapidly to the particular ones of the seats in the at least one of the plurality of compartments that have been reserved by the passengers. The improvement of means for enabling passengers to locate and to gain access to which the present invention is directed comprises at least one side door, a first identifying means, and a second identifying means. The subject at least one side door is provided in the railroad car intermediate the first end and the second end of the box body so as to be operable for providing passengers with easy access to the seats that are arranged in at least some of the plurality of compartments of the box body. The subject first identifying means is provided for identifying the railroad car. To this end, the first identifying means is positioned on the railroad car so as to enable a passenger to readily determine the identity of the railroad car by reference to the first identifying means. The subject second identifying means is provided for identifying the seats that are arranged in at least some of the plurality of compartments in the box body of the railroad car. To this end, the second identifying means is positioned in juxtaposed relation to the at least one side door so as to enable a passenger entering the railroad car through the at least one side door to readily determine by reference to the second identifying means the location of a particular one of the seats that are arranged in at least some of the plurality of compartments in the box body of the railroad car.

Reconsideration is respectfully requested of the rejection of original Claims 1-8 and 11 under 35 U.S.C. 102(b) as being anticipated by Rader (US 5,063,859); and of the rejection of original Claims 9 and 10 under U.S.C. 102(b) as being anticipated by Nievelstein (DE 44 42 368 A1); insofar as either one or both of these rejections may be deemed to be applicable to new Claims 12, 13, 14, 15, 16, 17, 18 and 19, the only claims remaining under consideration in the instant application.

With respect to the rejection of original Claims 1-8 and 11 under 35 U.S.C. 102(b), the Examiner states that:

“Rader discloses a railcar having a box shaped body extending longitudinally and having a plurality of interior compartments. The interior compartments include an upper deck of seats and a lower deck of seats and are sectioned into the front and rear of the car. The compartmentalization is shown in figure 9-11. A door 66 is arranged on the side of the car in the middle of the side wall structure as shown in figures 4 and 5. The door 66 opens to stairs 64 accessing the different decks of the car. The car does not have doors at the ends of the sidewalls. However, the car does have access doorways 47 on the longitudinal ends of the car.”

With respect to the rejection of original Claims 9 and 10 under 35 U.S.C. 102(b), the Examiner states that:

“Nievelstein discloses a railcar body having an upper and lower deck with passenger seats. Side doors are installed on the sidewalls of the car body away from the longitudinal end of the car and open to access stairs to the upper and lower decks of the car. A common bogie as shown in figure 1 supports longitudinal ends of adjacent railcars.”

For the reasons now to be set forth, Applicant respectfully submits that the improvement to which the present invention is directed and as defined in each of new Claims 12, 13, 14, 15, 16, 17, 18 and 19 is neither taught nor even suggested by the teachings of Rader (US 5,063,859) or by the teachings of Nievelstein (DE 44 42 368 A1) either when the teachings thereof are considered individually or when they are taken collectively.

Applicant would respectfully submit that none of the references relied on by the Examiner in the Office Action of March 24, 2005 contains, by way of exemplification and not limitation, either a teaching or even a suggestion of providing, as recited in new independent Claim 12, in a railroad car “the improvement of means for enabling passengers to locate and to gain access more easily and more rapidly to the particular ones of said seats in at least some of said plurality of compartments that have been reserved by the passengers” and wherein “said means for enabling passengers to locate and to gain access” comprises the following:

“at least one side door provided in said railroad car intermediate said first end and said second end of said box body operable for providing passengers with easy access to said seats arranged in at least some of said plurality of compartments of said box body;

a first identifying means for identifying said railroad car, said first identifying means being positioned on said railroad car so as to enable a passenger to readily determine the identity of said railroad car by reference to said first identifying means; and

a second identifying means for identifying said seats that are arranged in at least some of said plurality of compartments in said box body of said railroad car, said second identifying means being positioned in juxtaposed relation to said at least one side door so as to enable a passenger entering said railroad car through said at least one side door to readily determine by reference to said second identifying means the location of a particular one of said seats that are arranged in at least some of said plurality of compartments in said box body of said railroad car”.

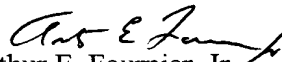
New Claims 13, 14 and 15 each traces its dependency to new Claim 12 and, therefore, necessarily incorporates all of the limitations of new Claim 12, which Applicant respectfully submits for the reasons set forth hereinabove are neither taught nor suggested by the Rader reference or the Nievelstein reference, either when considered individually or when taken collectively. In addition, new Claim 13 further defines the improvement in accordance with new Claim 12 “wherein said box body of said railroad car includes a lower story and an upper story, said plurality of compartments of said box body includes a first compartment and a second compartment on each of said lower story and said upper story, a first landing is arranged so as to extend longitudinally between said first compartment and said second compartment of said lower story, a second landing is arranged so as to extend longitudinally between said first compartment and said second compartment of said upper story, and at least one staircase is provided within said box body for enabling access to be had between said first landing and said second landing”. New Claim 14 further defines the improvement in accordance with new Claim 12 “wherein a side door is provided in said railroad car intermediate said first end and said second end of said box body on each longitudinally extending side of said box body, each of said doors being operable for providing passengers with easy access to said seats arranged in at least some of said compartments in said box body”. New Claim 15 further defines the improvement in accordance with new Claim 12 “wherein at least one door is provided at each of said first end and of said second end of said box body for providing access between said railroad car and an adjacent railroad car”.

New independent Claim 16 includes all of the limitations of new independent Claim 12, which Applicant respectfully submits for the reasons set forth hereinabove are neither taught nor suggested by the Rader reference or the Nievelstein reference, either when considered individually or when taken collectively. In addition thereto, new Claims 17, 18 and 19 each traces its dependency to new Claim 16 and, therefore, necessarily incorporates all of the limitations of new Claim 16, which Applicant respectfully submits for the reasons set forth hereinabove are neither taught nor suggested by the Rader reference or the Nievelstein reference, either when considered individually or when taken collectively. In addition, new Claim 17 further defines the improvement in accordance with new Claim 16 “wherein said box body of said at least one of said plurality of railroad cars includes a lower story and an upper story, said plurality of compartments in said box body of said at least one of said plurality of railroad cars includes a first compartment and a second compartment on each of said lower story and said upper story, a first landing is arranged so as to extend longitudinally between said first compartment and said second compartment of said lower story a second landing is arranged so as to extend longitudinally between said first compartment and said second compartment of said upper story, and at least one staircase is provided within said box body of said at least one of said plurality of railroad cars for enabling access to be had between said first landing and said second landing. New Claim 18 further defines the improvement in accordance with new Claim 16 “wherein a side door is provided in said at least one of said plurality of railroad cars intermediate said first end and said second end of said box body of said at least one of said plurality of railroad cars on each longitudinally extending side of said box body of said at least one of said plurality of railroad cars, each of said side doors being operable for providing passengers with access to said seats arranged in at least some of said compartments in said box body of said at least one of said plurality of railroad cars”. New Claim 19 further defines the improvement in accordance with new Claim 16 “wherein at least one door is provided at each of the first end and of said second end of said box body of said at least one of said plurality of railroad cars for providing access between said at least one of said railroad cars and at least another one of said railroad cars of said train”.

The prior art made of record and not relied upon by the Examiner in the Office Action of March 24, 2005 has been reviewed by Applicant. Based on Applicant’s review thereof, Applicant respectfully submits that such prior art even if considered with the teachings of the Rader reference and/or the Nievelstein reference fails to teach or even suggest Applicant’s invention as said invention is presently defined in new Claims 12, 13, 14, 15, 16, 17, 18 and 19, the only claims presently remaining under consideration in the instant application.

In view of the above amendments and remarks, it is respectfully submitted that new Claim 12 as well as new Claims 13, 14 and 15, which each traces its dependency to new Claim 12, and new Claim 16 as well as new Claims 17, 18 and 19, which each traces its dependency to new Claim 16, the only claims remaining under consideration in the instant application are clearly allowable over the references relied on by the Examiner as well as over the references cited but not relied by the Examiner, and that this case is clearly in condition for allowance, and such action is accordingly respectfully requested.

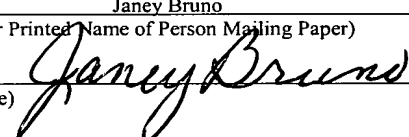
Respectfully submitted,


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I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Janey Bruno
(Typed or Printed Name of Person Mailing Paper)

(Signature)